GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

UNSTARRED QUESTION NO:766
ANSWERED ON:01.03.2016
Changes in forest Rules
Muddahanumegowda Shri S.P.;Puttaraju Shri C.S.

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether the Government proposes to make appropriate changes in the forest rules keeping in view the difficulties faced in obtaining approval for cutting of trees that are causing obstruction in the completion of essential work related to widening of roads and other public welfare works;
(b) if so, the details thereof;
(c) the time by which the said changes are likely to be effected; and
(d) the extent to which it is likely to be beneficial?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(SHRI PRAKASH JAVADEKAR)

(a) to (d) Use of forest land and cutting of trees standing thereon for widening of roads and execution of other non-forest activities requires prior approval of Central Government under the Forest (Conservation) Act, 1980. Approval under the Forest (Conservation) Act, 1980 is given in two stages. In first stage, the proposal is agreed to in principle in which usually the conditions relating to transfer, mutation and declaration as Reserved Forest/ Protected Forest under the Indian Forest Act, 1927 of equivalent non-forest land, wherever required, for compensatory afforestation and realization of Net Present Value (NPV) and funds for raising compensatory afforestation are stipulated and after receipt of compliance report from the State Government in respect of the stipulated conditions, formal/final approval under the Act is issued. Use of forest land for non-purpose and felling of trees standing thereon is allowed only after formal/final approval under the Act is issued.

With a view to facilitate speedy execution of projects involving linear diversion of forest land such as laying of new roads, widening of existing highways, transmission lines, water supply lines, optic fiber cables, railway lines etc., the Central Government has already issued guidelines to the effect that in-principle approval under the Forest (Conservation) Act, 1980 issued by the Central Government may be deemed as the working permission for tree cutting and commencement of work, if the required funds for compensatory afforestation, net present value (NPV), wildlife conservation plan, plantation of dwarf species of medicinal plants, and all such other compensatory levies specified in the in-principle approval are realised from the user agency and where necessary, for compensatory afforestation, transfer and mutation of non-forest/revenue forest land in favour of State Forest Department is affected.

The said guidelines further provides that after the afore-mentioned compensatory levies specified in the in-principle approval are realised from the user agency and where necessary, for compensatory afforestation, transfer and mutation of non-forest/revenue forest land in favour of State Forest Department is affected, the State Government or a Senior Officer not below the Rank of a Divisional Forest Officer, having jurisdiction over the forest land proposed to be diverted, duly authorized in this behalf by the State Government, shall pass an order for tree cutting and commencement of work of a linear project in forest land for a period of one year. The central Government may extend the permission for one more year subject to submission of reasonable progress report from the State Government as regards to the steps taken to comply with the remaining conditions stipulated in the in-principle approval.

The afore-mentioned guidelines have facilitated expeditious availability of forest land for widening of roads and execution of other linear projects.
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